

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CANTRELL,

Plaintiff,

v.

MATTHEW A. DICKASON, P.C,
MATTHEW A. DICKASON, and
ZACH WACHS,

Defendants.

CIVIL ACTION NO.
1:16-cv-00085-SCJ

CONSOLIDATED WITH
1:16-cv-01464-SCJ-RGV

JOINT MOTION FOR APPROVAL OF SETTLEMENT FLSA CLAIMS

COME NOW Plaintiff Donna Cantrell (“Plaintiff”) and Defendants Matthew A. Dickason, P.C., Matthew A. Dickason, and Zach Wachs (“Defendants”) (collectively, the “Parties”), by and through their undersigned counsel, hereby file this **Joint Motion for Approval of Settlement FLSA Claims**.

Plaintiff’s claims against Defendants include claims of unpaid overtime in violation of the FLSA and violations of the Pregnancy Discrimination Act of Title VII. This Motion pertains to Plaintiff’s FLSA claims. Defendants have agreed to compensate Plaintiff all lost wages and liquidated damages due to her as evidenced in attached Settlement Agreement attached as Exhibit 1. Plaintiff affirms that she

was seeking \$5,000 in lost wages and \$5,000 in liquidated damages under the FLSA as well as attorneys' fees and expenses. Defendants have agreed to compensate Plaintiff \$10,000 plus an additional \$25,000 in attorneys' fees and expenses. See Exhibit 1. Because Plaintiff has not compromised her FLSA claim, the Court should approve the settlement and dismiss with prejudice Plaintiff's FLSA claims. See Walker v. Vital Recovery Services, Inc., et al., 300 F.R.D. 599 (N.D.Ga. 2014) (finding that if judicial scrutiny confirms that the parties' settlement involves no compromise, the district court should approve the settlement as scrutinizing an FLSA settlement for fairness is required only for those claims that are compromised).

CONCLUSION

WHEREFORE, Plaintiff Donna Cantrell and Defendants Matthew A. Dickason, P.C., Matthew A. Dickason, and Zach Wachs respectfully request the Court approve the settlement of Plaintiff's FLSA claims. A proposed Order is attached.

Respectfully submitted this 8th day of December, 2017.

FOR PLAINTIFF:

By: /s/ Kimberly N. Martin
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FOR DEFENDANTS:

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ATTORNEY FOR DEFENDANTS

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(proposed) ORDER

The above-captioned case is before the Court for consideration of the Parties' Joint Motion for Approval of Settlement of FLSA Claims. The Court has considered and reviewed the Parties' Motion and the proposed Settlement Agreement in this case and has determined Plaintiff has not compromised her FLSA claim and thus, such settlement is approved. Accordingly, the Court hereby **GRANTS** the Parties' Joint Motion, **APPROVES** the Settlement Agreement entered into by the Parties, and **ORDERS** the Plaintiff's FLSA claims dismissed with prejudice. Except as stated in the Settlement Agreement, each party shall bear its own costs of litigation and attorney's fees.

SO ORDERED this ____ day of _____, 2017.

The Honorable Steve C. Jones
United States District Judge

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CERTIFICATE OF SERVICE

I certify that on this day I electronically filed the **Joint Motion for Approval of Settlement of FLSA Claims** with the Clerk of Court using the CM/ECF system, which will send e-mail notification of such filing to all attorneys of record.

This 8th day of December, 2017.

/s/ Kimberly N. Martin
Kimberly N. Martin